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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,242	12/21/2001	John D. Sotack	A1031	3336

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EXAMINER

BHAT, ADITYA S

ART UNIT PAPER NUMBER

2863

DATE MAILED: 12/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/024,242

Applicant(s)

SOTACK, JOHN D.

Examiner

Aditya S Bhat

Art Unit

2863

AW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- ☐ Interview Summary (PTO-413) Paper No(s). _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Motoyama (USPN 5,887,216).

With regards to claim 1, Motoyama (USPN 5,887,216) teaches an aberrant component detection method comprising:

storing, in a computer memory, a reference current indicative of proper functioning of a particular component; (See figure 3)

sensing current supplied to a group of components including the particular component; (Col.6, lines 20-23)

comparing the current supplied to the group of components to the reference current; and (Col.10, lines 14-16)

recording a result of comparing the current to the reference current. (Col.10 lines 15-21)

With regards to claim 12, Motoyama (USPN 5,887,216) teaches an aberrant component detection method comprising recording a result of comparing a sensed current to a reference current, the sensed current being supplied to a group of components including the particular component, the reference current being indicative

of proper functioning of a particular component and being stored in a computer memory.
(Col. 10, lines 1-21)

With regards to claim 19, Motoyama (USPN 5,887,216) teaches an aberrant component detection method comprising:

storing, in a computer memory, a reference current indicative of proper functioning of a particular component; (See figure 3)
sensing current supplied to a group of components including the particular component while only the particular component draws current: (Col.6, lines 20-23)

comparing the current supplied to the group of components to the reference current; and (Col.10, lines 14-16)

recording a result of comparing the current to the reference current, (Col.10 lines 15-21) wherein recording a result comprises at least one of storing the result in a computer memory (See figure 3), displaying an alert (Col. 11, lines 14-17) when there is a discrepancy between the reference current and the current supplied to the group of components, and recording the circuit to which current was supplied during sensing.
(Col.11, lines 14-15)

With regards to claim 2, Motoyama (USPN 5,887,216) recording a result comprises storing the result in a computer memory. (See figure 3)

With regards to claims 3, 14 and 15 Motoyama (USPN 5,887,216) teaches the computer memory being non-volatile. (Col.5, line 25)

With regards to claim 4 and 13, Motoyama (USPN 5,887,216) teaches recording a result comprises displaying an alert when there is a discrepancy between the

reference current and the current supplied to the group of components. (Col. 11, lines 10-17)

With regards to claim 5, Motoyama (USPN 5,887,216) teaches recording a result includes recording the circuit to which current was supplied during sensing. (Col. 11, lines 10-17)

With regards to claim 6 and 16, Motoyama (USPN 5,887,216) teaches sensing current includes sensing while only the particular component draws current. (Col. 10, lines 10-20)

With regards to claim 7 and 17, Motoyama (USPN 5,887,216) teaches further comprising allowing access to recorded results. (Col.10, lines 1-20)

With regards to claim 8, Motoyama (USPN 5,887,216) teaches allowing access comprises providing a connection to and allowing access via a computer network. (Col.4, lines 61-63)

With regards to claim 9, Motoyama (USPN 5,887,216) teaches the computer network is the Internet. (Col.4, lines 51)

With regards to claim 10, Motoyama (USPN 5,887,216) teaches the allowing access comprises providing a user interface via an on-board display. (Col.8, lines 20-21)

With regards to claim 11, Motoyama (USPN 5,887,216) teaches allowing access comprises providing a port, allowing connection of a computer to the port, and providing access with the connected computer to the stored results. (Col. 5, lines 30-40)

With regards to claim 18 and 20, Motoyama (USPN 5,887,216) teaches providing a connection to via a computer network (Col.4, lines 61-63), providing a user interface via an onboard display (Col.8, lines 20-21), and providing access via a computer connected to a direct-connect port. (Col.4, lines 61-63),

With regards to claim 21, Motoyama (USPN 5,887,216) teaches particular component is itself a group of components and the method is applied recursively to identify an aberrant particular component within the particular component. (Col. 1, lines 49-53)

Response to Arguments

During patent examination, the pending claims must be "given the broadest reasonable interpretation consistent with the specification." Applicant always has the opportunity to amend the claims during prosecution, and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-51 (CCPA 1969).

While the meanings of claims of issued patents are interpreted in light of the specification, prosecution history, prior art and other claims, this is not the mode of claim interpretation to be applied during examination. During examination, the claims must be interpreted as broadly as their terms reasonably allowed. This means that the words of the claim must be given their plain meaning unless applicant has provided a clear definition in the specification. In re Zletz, 893 F.2d 319, 321, 13 USPQ2d 1320, 1322 (Fed. Cir. 1989).

In this instance applicant argues that there is no teaching of storing a current in the computer memory, and measuring current when it is the only active component. Motoyama (USPN 5,887,216) teaches a method a system to diagnosis a business office device based on operating parameters set by a user. Thus Motoyama (USPN 5,887,216) detects when some component in a business office has a problem. This is very similar to the claimed invention, which teaches an aberrant component, with regards to the argument that Motoyama (USPN 5,887,216) does not teach measuring or storing current. It would be inherent to such a system to use different current levels in order to detect problems with the system. Since all data in an electronic system has a current value associated with it. Therefore, is rejection is deemed proper and has not been withdrawn.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

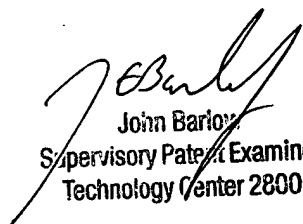
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aditya S Bhat whose telephone number is 703-308-0332. The examiner can normally be reached on M-F 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on 703-308-3126. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-5841 for regular communications and 703-308-5841 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Aditya Bhat
November 25, 2003


John Barlow
Supervisory Patent Examiner
Technology Center 2800